

## **Board of Architectural Review**

DATE: June 25, 2015  
TO: Board of Architectural Review Chair and Members  
THROUGH: Jason Sutphin, Community Development Division Chief *JDS*  
FROM: Kelly O'Brien, AICP, BAR Liaison *KO*  
SUBJECT: **10579 Fairfax Boulevard – AABEE (formerly Cooking and Company)**

ATTACHMENTS: 1. Relevant Code Sections  
2. Proposed plans  
3. Photos  
4. Previous approvals

### **Nature of Request**

- |                 |  |
|-----------------|--|
| 1. Case Number: | 15060131   |
| 2. Address:     | 10579 Fairfax Boulevard                                |
| 3. Request:     | Modifications to building facade and site improvements |
| 4. Applicant:   | Reza Farnood   |
| 5. Zoning:      | C-2, HCOD Highway Corridor Overlay District            |

### **Staff Comments**

#### **Background and Proposal:**

The subject property, formerly known as Cooking and Company and prior to that as Vespucci Restaurant, is located to the east of the Kia dealership. The property is surrounded by public right-of-ways on three sides, Fairfax Boulevard to the north, Farr Avenue to the east, and Warwick Avenue to the south.

The applicant recently painted their building orange with green trim and red roof without BAR approval. The applicant contends that the roof color was just refreshed. The applicant is now proposing to bring the building into compliance with approval of new colors and the addition of a parapet wall above the front foyer. The applicant also proposes to replace the awnings.

Staff performed a site visit on Monday, June 22, 2015 and identified the following issues other than the non-approved building color:

- Signage issues that the Zoning Division is addressing with the applicant
- Sheds located in the rear of the property that are not shown on the approved site plan or plan of development. There are electrical permits for the sheds but no building permits on record.
- Possible parking deficiency due to addition of sheds and parking in the rear not being striped.
- Strings of lights along the front patio and in the trees along Fairfax Boulevard.
- Patio not constructed as approved by the BAR.
- Multiple shade tents of different size and color on the patio, not approved by the BAR.

- Painted bollards.
- Painted block wall in front of property that has been reduced in size; color and size not approved by the BAR.
- Light fixtures painted color other than what was approved by the BAR.
- HVAC not screened properly.
- Dumpster enclosure not constructed as approved by the BAR or as per zoning ordinance standards.

The applicant seeks to remedy the façade only at this time. Other items will return to the Board or staff for approval in the future.

#### *Case History*

- APOD-70-05 - The applicant received approval of a Plan of Development in 2005 to renovate the existing restaurant and add an outdoor patio with seating. The restaurant was called Vespucci at the time but the applicant and owner was the same as it is today. The construction of a trash enclosure was included in the approval conditions.
- BAR-647-05-3 – The applicant received Board approval in 2005 to modify the façade of the existing restaurant, install standard brick pier board-on-board dumpster enclosure, and install shrubs between the parking area and concrete walk along Lee Highway.
- BAR-647-05-4 – The applicant received Board approval in 2005 to add a 24 seat patio dining area, approximately 31' x 38', with tiled floor, small planter areas at the corners, and enclosed with a trellis style structure painted white and an egress door with redwood stain. The patio furniture was approved as dark charcoal colored.
- BAR-A-647-09-5 – The applicant received administrative approval in 2009 to replace existing exposed fluorescent lights with decorative light fixtures painted black.
- BAR-A-647-09-6 – The applicant received administrative approval in 2009 to install conduit between each light fixture to be painted to match the wall color.

#### **Analysis:**

*Colors for use on buildings and signs should be selected for their compatibility with the natural features and existing development found in and adjacent to the corridors. Conversely, colors intended to attract attention detract from efforts to improve the appearance of the streetscape, and should be used sparingly, perhaps as accent colors.*

The applicant's proposal calls for Behr 330A-2 "Frosted Lemon" on the building with Behr P440-7 "Mermaid" green roof and trim and bright blue awnings. It appears from the rendering that the gutters are not proposed to be painted however at the site visit it appeared they had been painted red to match the new roof color. The proposed rendering and construction documents show a 5' high parapet built on top of the existing flat roof of the front foyer. The applicant has stated the intent to cap the parapet extension with a premade crosshead pilaster. The parapet is proposed to be finished with stucco.

Staff has no concerns with the building colors other than the roof. Although green roofs have been approved in other locations in the City, it has been for small sections of roof rather than for the entire building. Also the color proposed is bright and staff does not believe the use of this color in the

proposed manner is supported by the Community Appearance Plan. Staff's recommendation is that the roof be painted back to the "Copper Canyon" color that was previously approved by the BAR and is more harmonious with the surroundings as it is near residential properties.

The applicant proposes to replace the "Golfing Green" awnings with bright blue awnings. The application makes no mention of the east or south facades or the patio. Staff recommends the color treatment be continued around the building. Staff also recommends the awnings be painted to match the roof except for the gutters around the parapet which should be painted "Frosted Lemon" to blend them into the building.

#### Site Lighting

Building mounted lighting previously approved to be painted black has been painted white. Staff recommends the lighting fixtures return to the previously approved black or the color of the building.

#### Landscaping and Screening

The dumpster enclosure was not constructed per City requirements or as approved by the BAR. Brick piers with board on board fence and an opaque gate are required. The applicant did construct brick piers; however, between the piers is chain link fence with white slats. Staff recommends the chain link fence be removed and replaced with board on board fence and a board on board gated be added as required. The dumpsters are located along a street facing residential properties.

The HVAC is not properly screened from the right-of-way. It appears the applicant attempted to paint the equipment to blend with the red roof. Staff recommends the applicant submit plans for proper screening of the equipment for administrative approval.

#### Site Amenities

The bollards on site have been painted red and green like the building. Staff recommends they be painted "Frosted Lemon" with an accent stripe of either the blue of the awnings or the "Mermaid" green.

#### Signage

Signage is not included in the BAR review as there is no master sign plan for this building and it is not located in the historic or transition district. The Zoning division will be addressing the signage compliance issues directly with the applicant.

## RECOMMENDATIONS

The proposed plan is consistent with the City's design criteria. Staff therefore recommends that the application be approved with the following conditions:

1. The proposed construction, materials, and colors shall conform to the elevations and material samples provided by the Applicant, and as may be modified below or as may be modified to reflect any additional improvements that may be required by the Zoning Ordinance, Building Code and/or the Board of Architectural Review, and as may be modified by the Director of Community Development and Planning.
2. The roof shall be painted "Copper Canyon" or a similar color to be confirmed with staff prior to painting.
3. The bollards shall be painted "Frosted Lemon" with an accent stripe of "Mermaid" or the same blue used in the awnings.
4. All facades of the building and the patio wall shall be painted "Frosted Lemon".
5. The tents on the patio shall be removed and may be replaced with table umbrellas or other shade structures in blue or "Mermaid" green to be submitted to staff for approval prior to installation.
6. The strings of lights shall be removed from the trees along Fairfax Boulevard and from the patio front.
7. Any lighting or other fixtures such as cameras shall be painted black or to match the roof or building.
8. The wall for the previous ground mounted sign shall be removed.
9. Any proposed mechanical equipment that does not have previous approval shall be screened from view from public right of way. The applicant shall submit plans for proper screening for administrative approval.
10. The applicant shall secure all required building and sign permits.
11. Façade or site changes installed/constructed prior to review by the Board of Architectural Review shall be issued zoning violations and will be subject to fines or other enforcement.

**ATTACHMENT #1**

## **Relevant Code Sections**

### **Sec. 110-1071. Designation of districts.**

(a) The architectural control overlay district is hereby designated as all land in the city which is located outside an historic district and zoned for other than single-family detached residences. In addition, any lot, parcel or area of land within any area zoned for single-family detached residences outside an historic district which is used for other than single-family detached residences or which is the subject of an application for a special use permit or building permit involving any such other use shall be part of the architectural control overlay district. The provisions of this article shall not apply to single-family attached residences after such residences have been initially erected.

### **Sec. 110-1072. Approval required for improvements.**

(a) No structure or improvement located on any land within the architectural control overlay district, including significant landscape features appurtenant to such structure or improvement, shall be erected, reconstructed, altered or restored until the plans for the exterior architectural features and landscaping have been approved by the board of architectural review or the city council in accordance with the provisions of article XIX of this chapter. Plans for signs appurtenant to new and renovated shopping centers, and as otherwise provided for multi-tenant commercial buildings in subsection 110-180(b) shall also be subject to board of architectural review or the city council approval. The board of architectural review shall confine its review and approval to only those features which are subject to view from a public street, way or place. The provisions of this article shall not apply to regular maintenance of a structure, improvement or site; however, an exterior color change of a structure, or substantial portion thereof, shall be deemed an alteration and not regular maintenance.

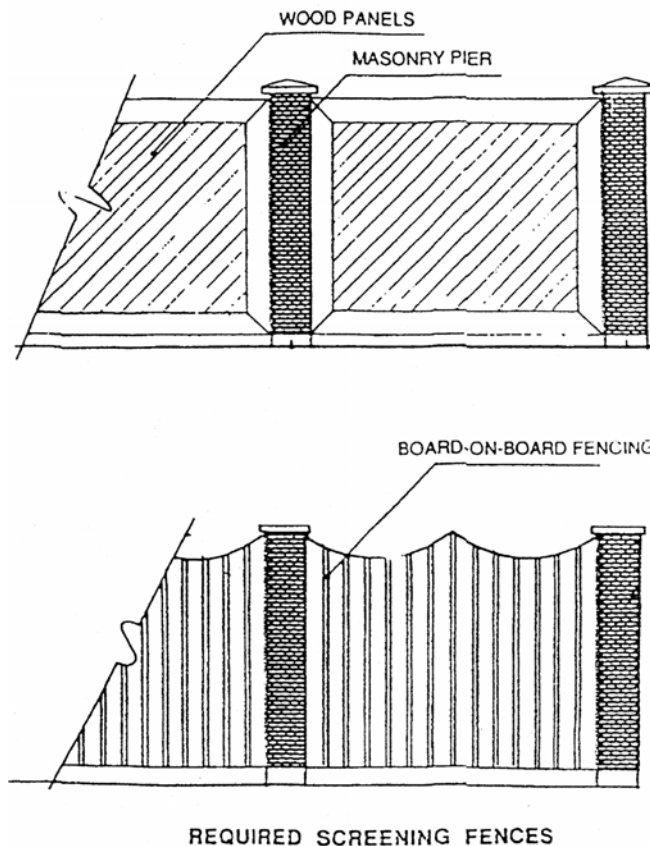
### **Sec. 110-915. Powers and duties.**

The board of architectural review shall have the following powers and duties:

(2) To review and decide any application requesting approval for exterior architectural features of any structure, improvement or significant landscape feature associated with such structure or improvement to be erected, reconstructed or substantially altered in an architectural control district.

**Sec. 110-258. - Screening required.**

Screen D



Required Screening Fences

Required screening fences separating commercial and residential properties shall be eight feet in height. All other required screening fences shall be six feet in height. All fencing shall be constructed of wood supported by decorative masonry piers and shall provide a solid visual screen. Final design shall be subject to the approval of the board of architectural review or the city council in accordance with article XIX of this chapter. Variations to these standards may be authorized by the board of architectural review or the city council upon recommendation of the zoning administrator, provided that the quality of the proposed screening is equal to or better than that illustrated herein.

- (b) Each refuse disposal area shall be completely screened from view on all sides by a wall or fence of board-on-board, decorative masonry or other construction of equal or better quality as approved by the board of architectural review or the city council in accordance with article XIX of this chapter.
- (c) Each abovegrade mechanical or utility structure shall be screened by a wall or fence as specified in subsection (b) of this section, or by plant material forming a continuous year-round screen, or a combination thereof.

RECEIVED

JUN 19 2015

Community Dev & Planning

Friday, June 19, 2015

To whom it may concern,

I am writing to follow up with sign and paint permits application and violations.

- 1- Building is a free standing with no visibility due to many oversized pylon signs by other businesses specially car dealers. If you are driving on east bound on Fairfax Blvd. Coming toward my restaurant you will not see our building because of oversized pylon sign of Kia of Fairfax. Furthermore, cars that are for sell and oversized trailers loading and unloading cars blocks and distract our view and more . . .
- 2- I had two 5 x 7 feet ground street sign on the corner that City of Fairfax road workers during the snow time in past few years damaged it. We called and no one listened or paid attention. In one point they destroyed my sign so bad that it took almost \$19000 to redo the whole sign. City of Fairfax never paid for it and my insurance paid it!

In 2005 when I start my construction in this property I too had a pylon sign that was matching other businesses around us. City of Fairfax told me that pylon signs are illegal and in next six month all of those signs in the City will come down and only street and building signs are allowed. After eleven years no one except me respected the City of Fairfax rules.

A business with no clear sign in perfect position never can gain customers trust to do business. Our credibility is based upon clear message asking people to come in. Thus, you will see chain and corporate businesses know how to control and layout their idea in the term of sign. Every so called violation against our property is a result of misdirecting and manipulating us without clear solution to our problem. Our failure so far is a direct result of discrimination act by City of Fairfax against my businesses.

My failure is City of Fairfax failure and I still believe we can work together and make my restaurant send out clear message via our sign to gain more business to succeed. My resume is crystal clear on how I took a piece of junk in the City and turned it into a beautiful building. This was I and Anisa (my partner's) dedication and not anybody's help.

In advance I thank you for your time listening to our heart and helping us to improve our visibility.

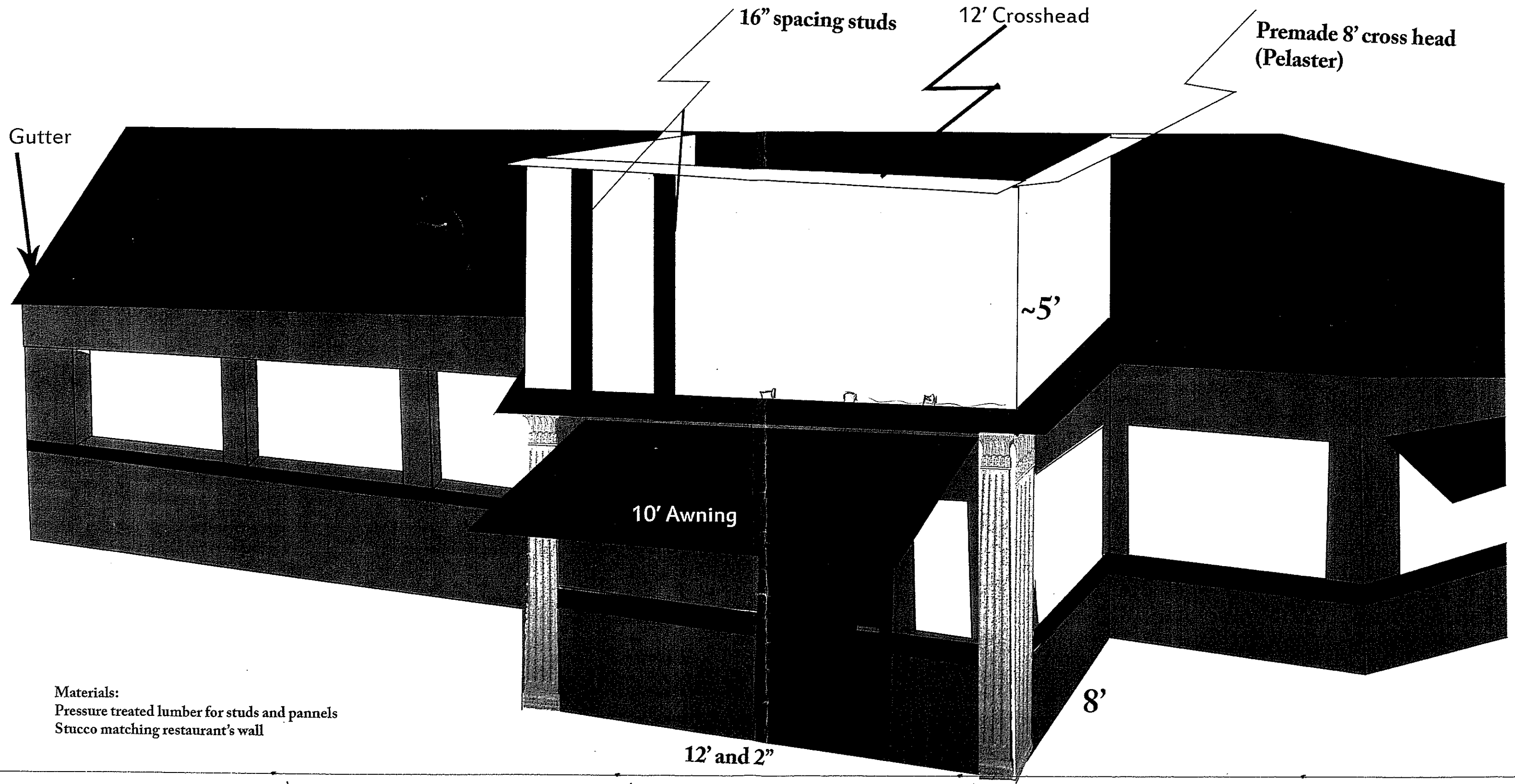
Respectfully,

Reza Farnood Ahmadi



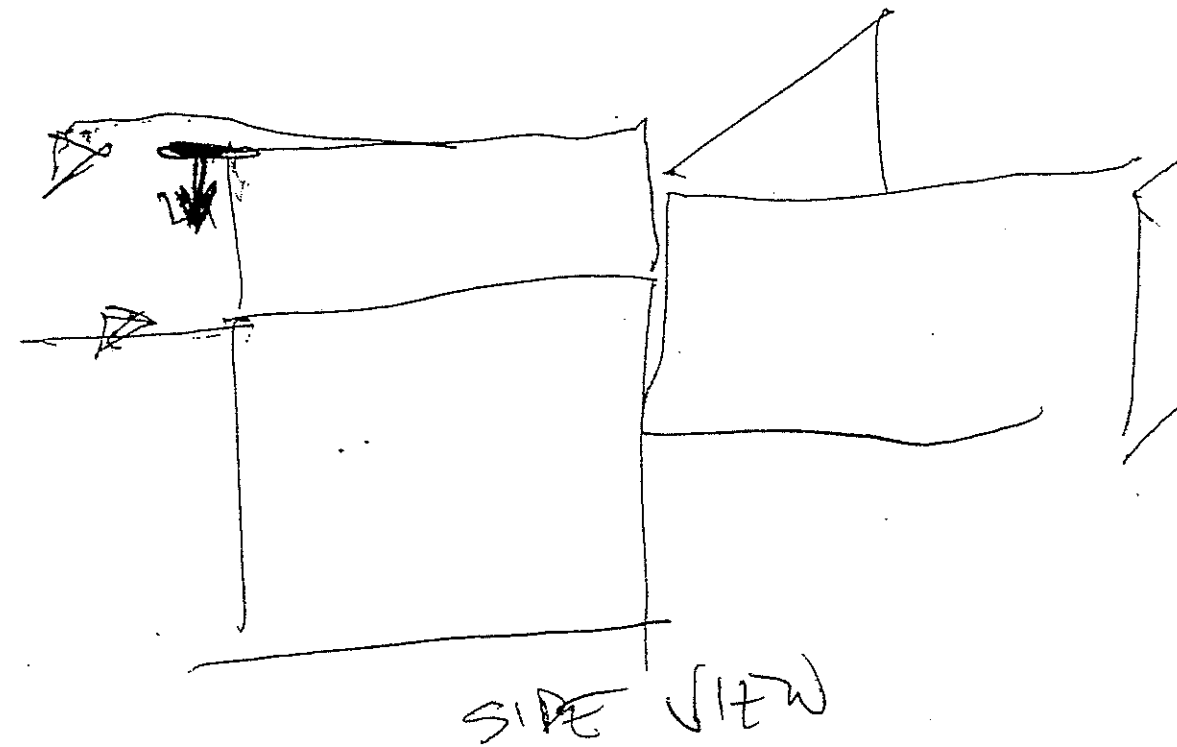
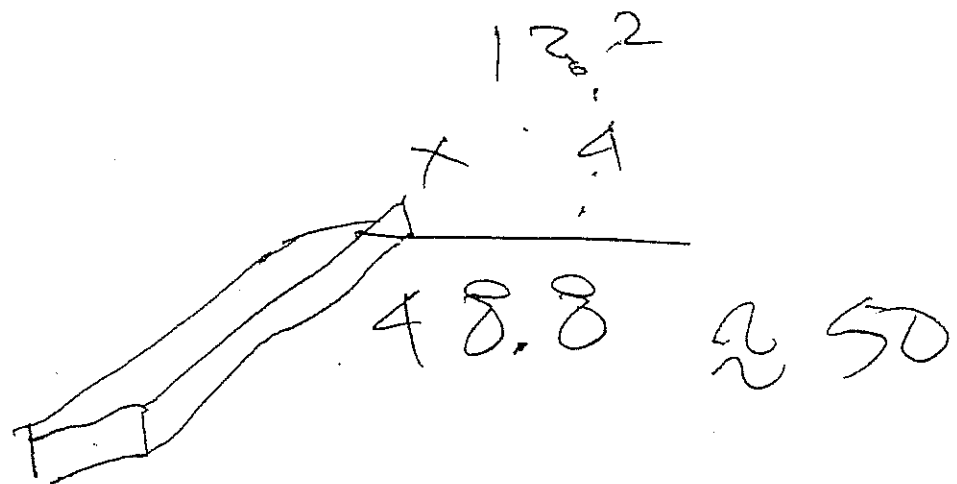
**AA'BEE**  
**RESTAURANT**  
Kabobs, Pasta & more رستوران آبی



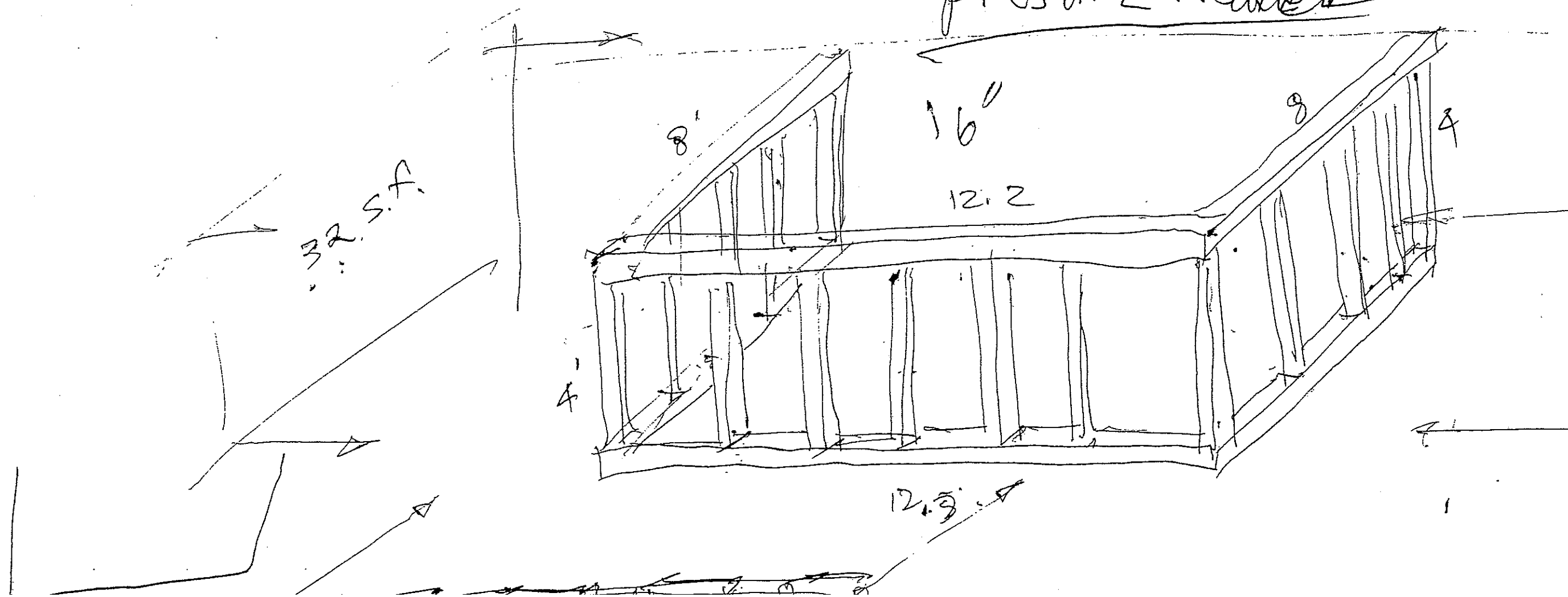


Materials:  
Pressure treated lumber for studs and pannels  
Stucco matching restaurant's wall

RECEIVED  
JUN 18 2015  
BY: \_\_\_\_\_



pressure treated



Roll over image to zoom in



144"W x 147 1/2"OW x 6"H x 1"P Crosshead

Item #: WCH144X6  
(read 0 reviews)

Width	Height	Projection	Overall Width
144"	6"	1"	147 1/2"

Select Size

144"W x 147 1/2"OW x 6"H x 1"P Crosshead

- ✓ Eye-catching style for your door or windows
- ✓ Lightweight and easy to install
- ✓ Low maintenance product
- ✓ An answer for both indoor and outdoor applications
- ✓ Optional trim to add further depth and personality
- ✓ Add pilasters and pediments for an extraordinary look

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JUN 19 2015  
Community Dev & Planning











Fairfax Blvd

Fairfax, Virginia



Street View - Sep 2014



3700 Farr Ave

Fairfax, Virginia

Street View - Sep 2014







**RECEIVED**

AUG 13 2009

Dept. of Community  
Development & Planning

**28 4:11PM**

# Front of the Restaurant

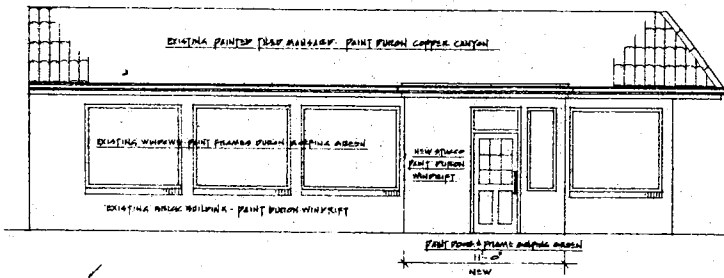
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AUG 13 2009

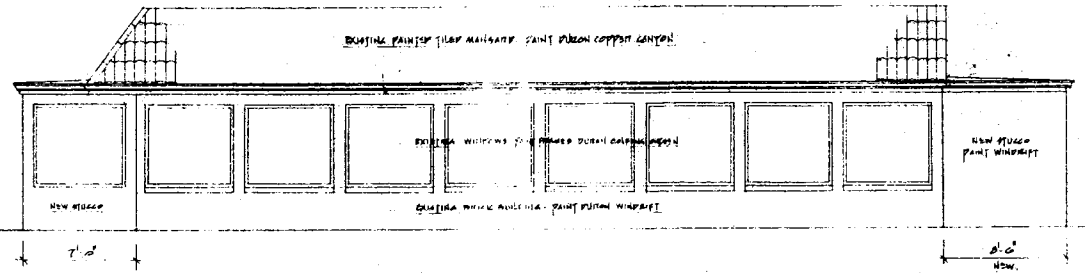
Dept. of Community  
Development & Planning



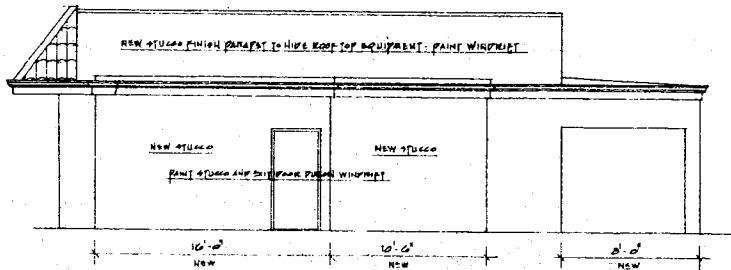
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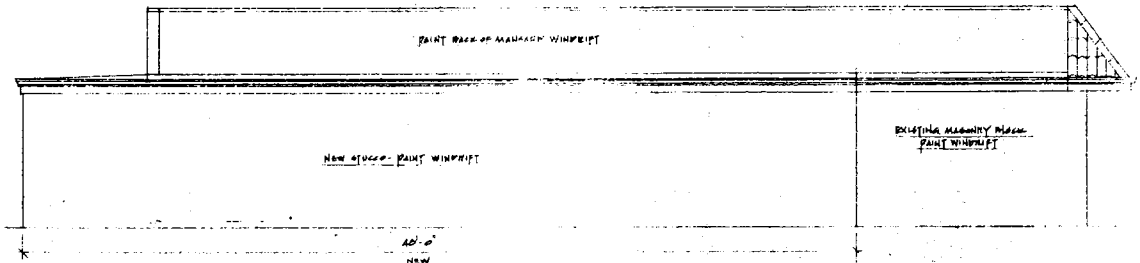
LEE HIGHWAY ASPECT  
SCALE: 1/8" = 1'-0"



FARR AVENUE ASPECT  
SCALE: 1/8" = 1'-0"

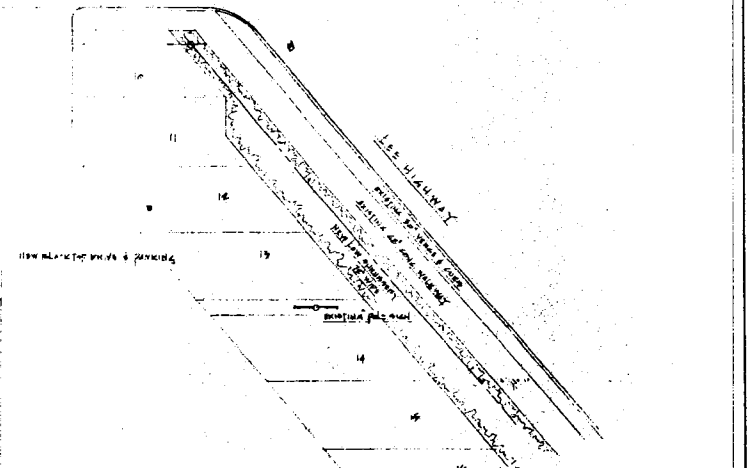
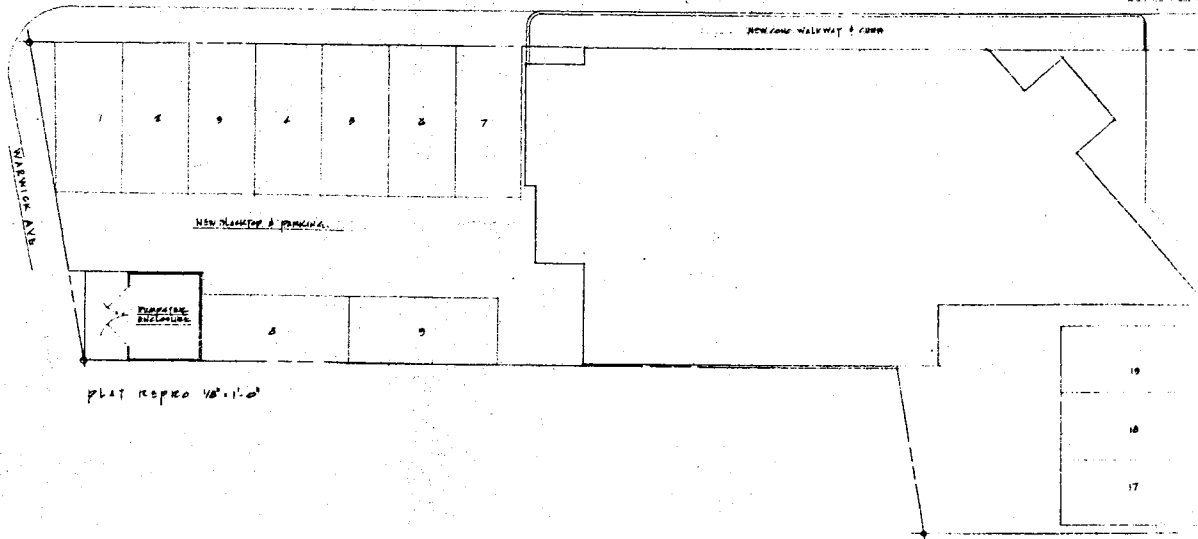


WARWICK AVENUE ASPECT  
SCALE: 1/8" = 1'-0"



REAR ASPECT  
SCALE: 1/8" = 1'-0"

FARR AVENUE



VES PUGGI RESTAURANT			
10075 LEE HIGHWAY - FAIRFAX, VA			
SCALE: NOTED	DESIGNED BY: J.D.	DRAWN BY: J.D.	CHECKED BY: J.D.
DATE: 10/1/80	PROJECT NO: 10075	SHEET NO: 10	
EXTERIOR DESIGN ELEMENTS			



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## City of Fairfax

City Hall • Fairfax, Virginia 22030-3630

### CERTIFICATE OF APPROVAL BOARD OF ARCHITECTURAL REVIEW

Pursuant to Articles XIV, XIX, XX, and XXII of the City of Fairfax Zoning Ordinance your proposed exterior alterations were approved on May 4, 2005 with the following conditions:

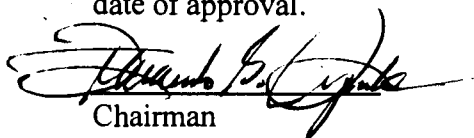
1. Stucco and paint the building "Windrift" (Benjamin Moore #8240W);
2. Paint the roof "Copper Canyon" (Benjamin Moore # 7836N);
3. Replace the awning with Sunbrella "Golfing Green" (AC906N) canvas awning;
4. Install a City standard brick pier board-on-board dumpster enclosure;
5. Install evergreen shrubs between the parking area and concrete walk along Lee Highway;
6. The applicant shall obtain all necessary City of Fairfax building permits;
7. The applicant shall screen all rooftop mechanical equipment; and
8. The applicant shall install new doors to the rear.

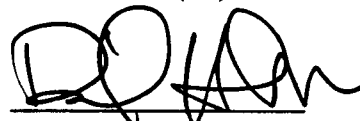
All submitted design drawings, construction specifications, and other application materials shall become the property of the City of Fairfax and shall be available for public review at the Department of Community Development and Planning.

The applicant(s) shall not deviate from the approved design. Any such deviation shall be subject to the penalties provided by the City of Fairfax Zoning Ordinance. Any subsequent changes to the proposed building, or site design, including architectural details, color, and materials, **must** be approved by the staff/BAR, prior to the construction.

The applicant is responsible for incorporating this approved design with its conditions into the plans submitted to the City of Fairfax and for **obtaining all City required permits prior to construction or installation.**

This Certificate shall become null and void if no significant improvement or alteration is made in accordance with the approved application within twelve (12) months from the date of approval.

  
Chairman

  
Director, Community  
Development & Planning

0/2/05  
Date

Printed on recycled paper





**City of Fairfax**

**City Hall • Fairfax, Virginia 22030-3630**

Project: Vespucci Restaurant  
10579 Lee Highway  
Applicant: Reza Ahmadi  
BAR 647-05-4

**CERTIFICATE OF APPROVAL  
BOARD OF ARCHITECTURAL REVIEW**

Pursuant to Articles XIV, XIX, XX, and XXII of the City of Fairfax Zoning Ordinance your proposed exterior alterations were approved on January 4, 2006 with the following conditions:

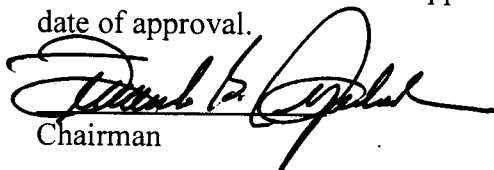
1. The proposed 24 seat patio dining area shall conform with the attached plan and photograph received December 7, 2005 Department Community Development Planning, as may be modified to reflect any additional improvements that may be required by the Zoning Ordinance, Building Code and/or the Board of Architectural Review;
2. The trellis structure shall be painted white with a redwood stain for the egress door; and
3. The applicant shall obtain all necessary building permits.

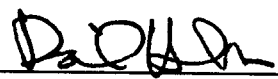
All submitted design drawings, construction specifications, and other application materials shall become the property of the City of Fairfax and shall be available for public review at the Department of Community Development and Planning.

The applicant(s) shall not deviate from the approved design. Any such deviation shall be subject to the penalties provided by the City of Fairfax Zoning Ordinance. Any subsequent changes to the proposed building, or site design, including architectural details, color, and materials, **must** be approved by the staff/BAR, prior to the construction.

The applicant is responsible for incorporating this approved design with its conditions into the plans submitted to the City of Fairfax and for **obtaining all City required permits prior to construction or installation.**

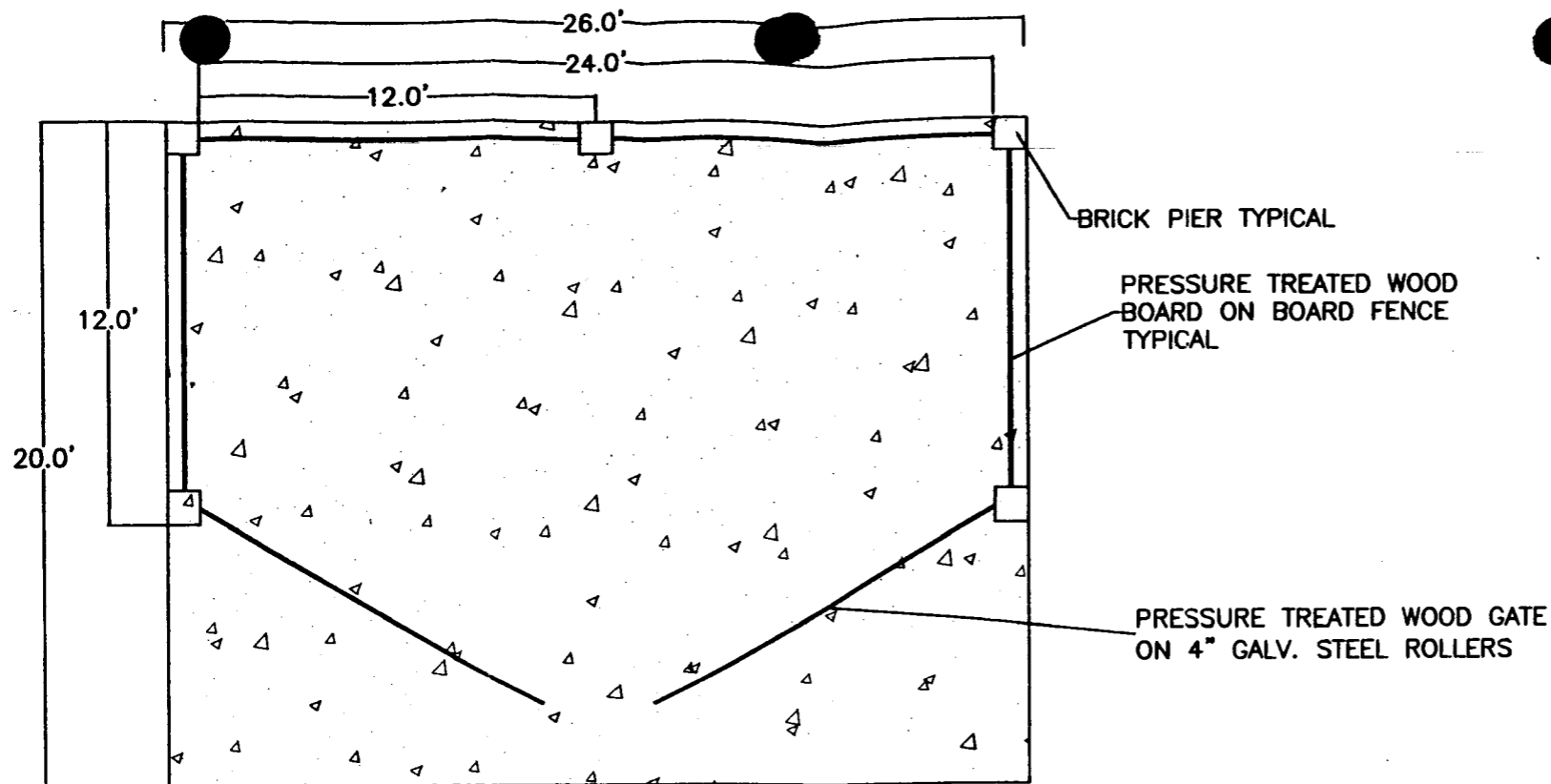
This Certificate shall become null and void if no significant improvement or alteration is made in accordance with the approved application within twelve (12) months from the date of approval.

  
Chairman

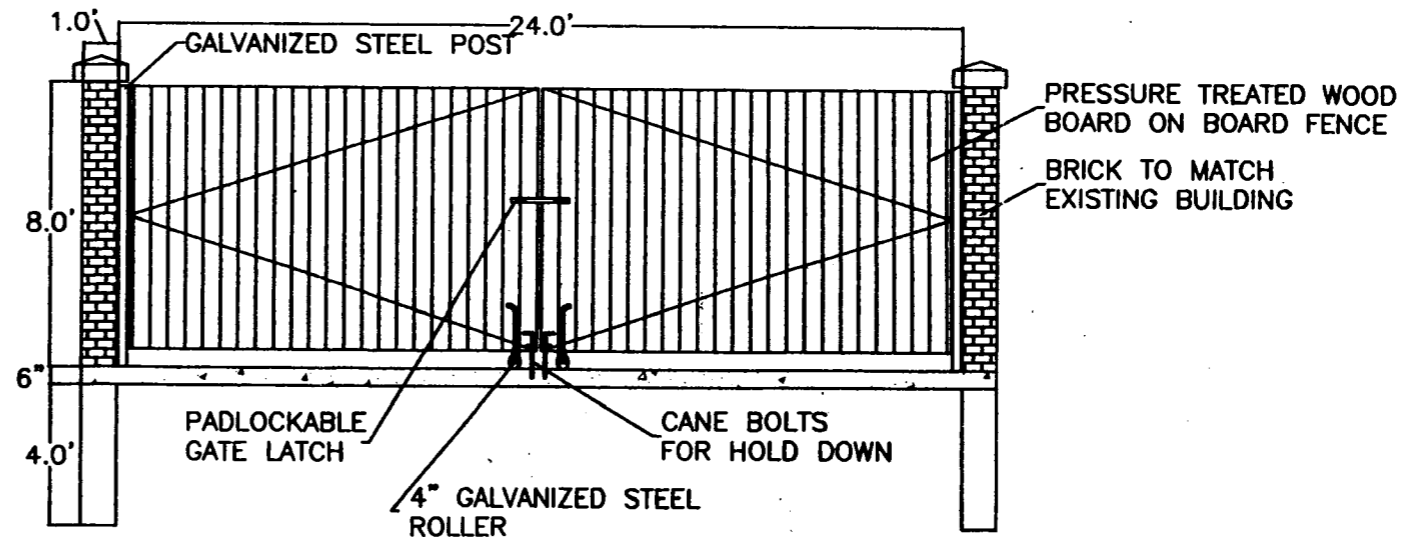
  
Director, Community  
Development & Planning

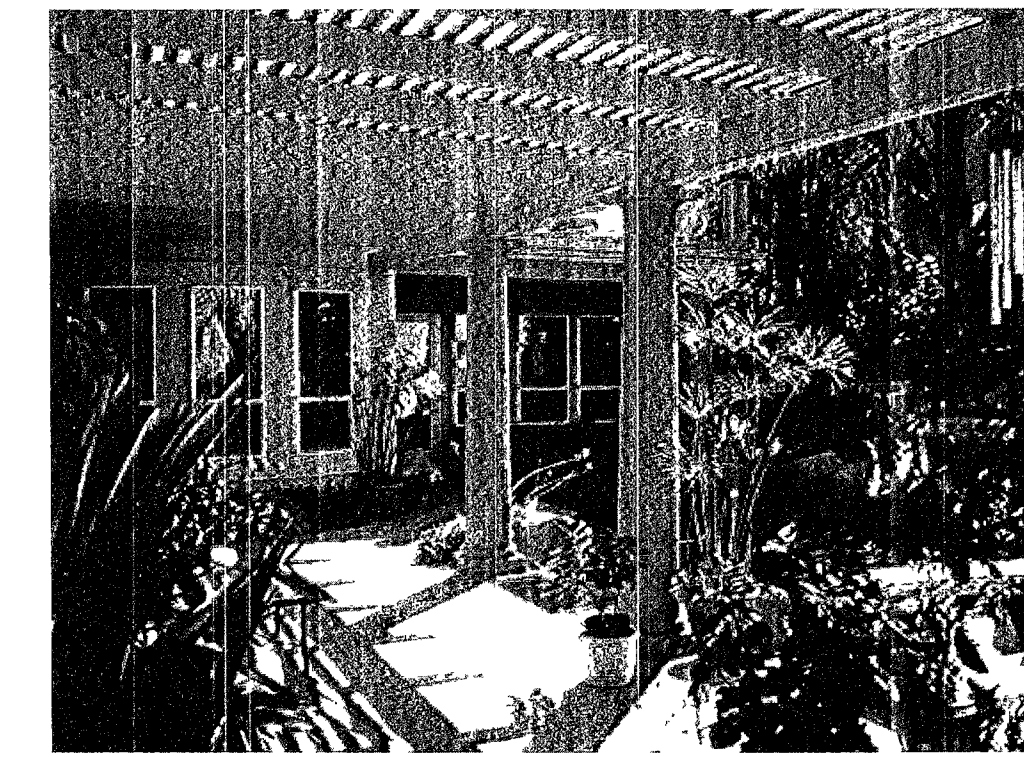
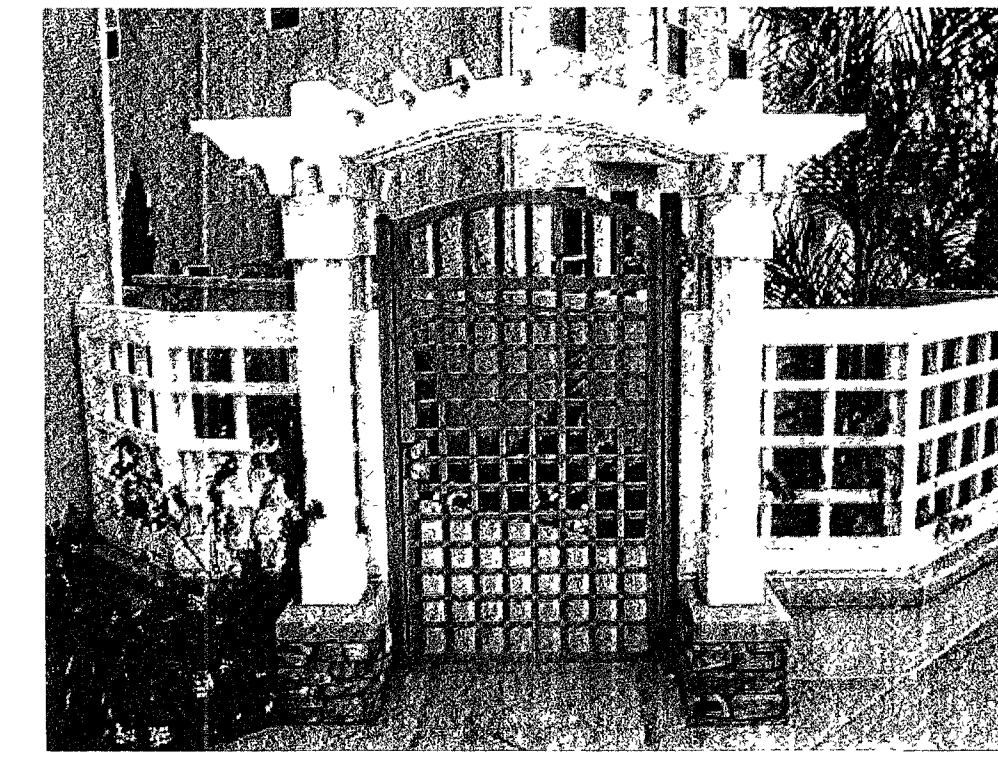
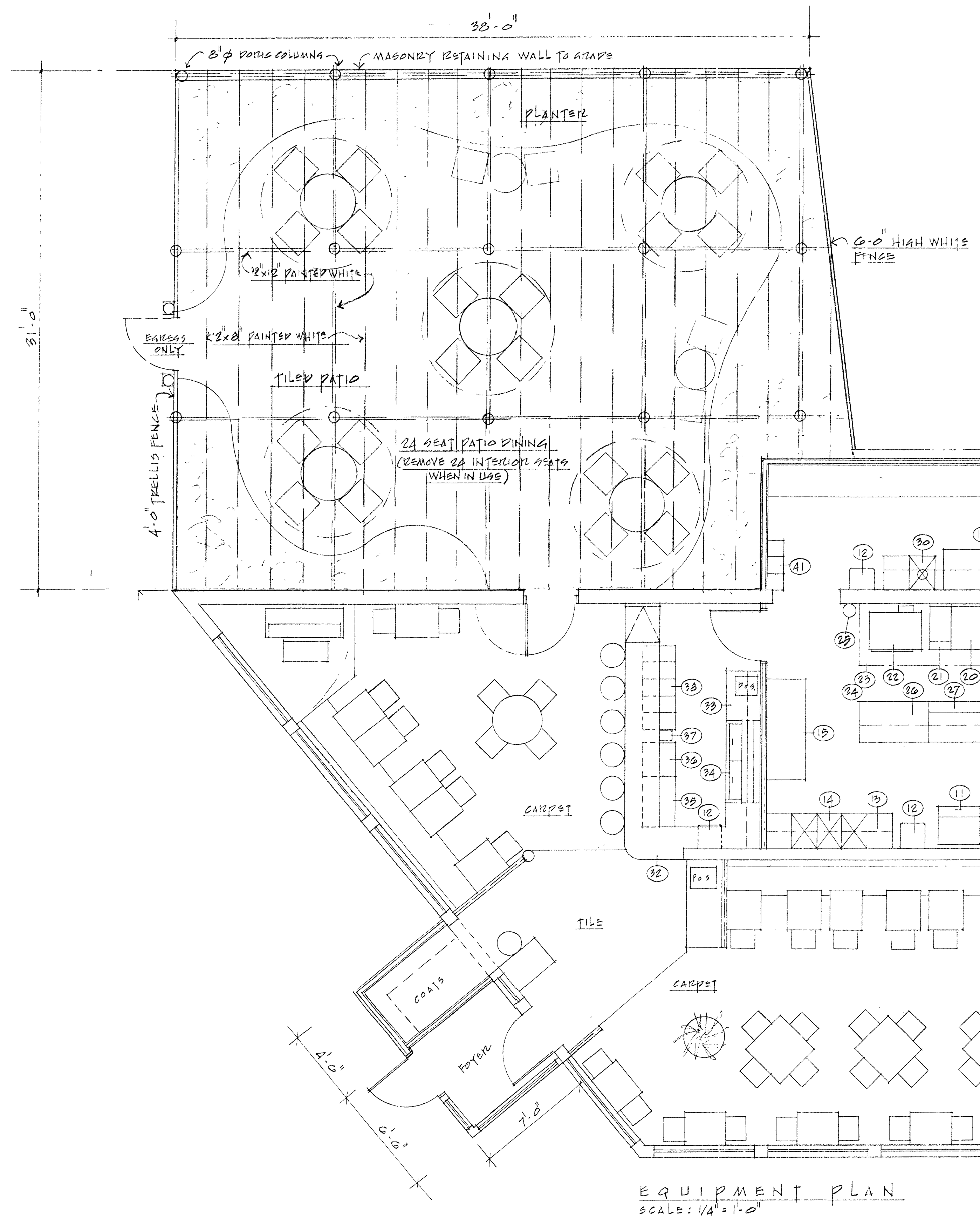
1/18/06  
Date





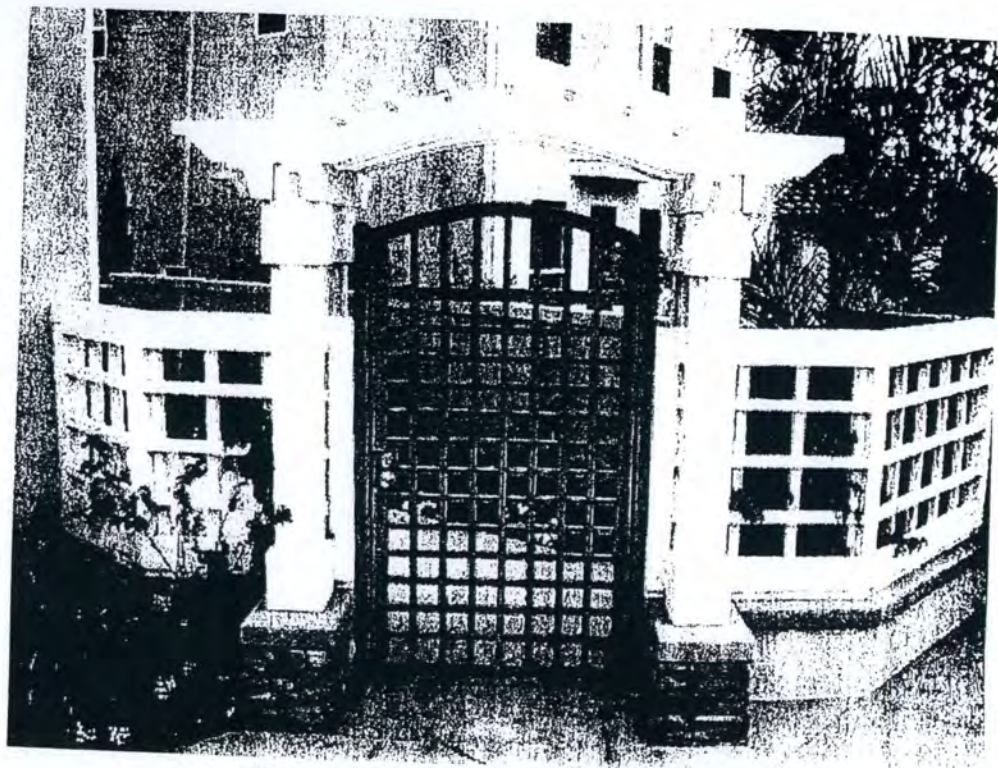
FRONT DETAIL  
NOT TO SCALE



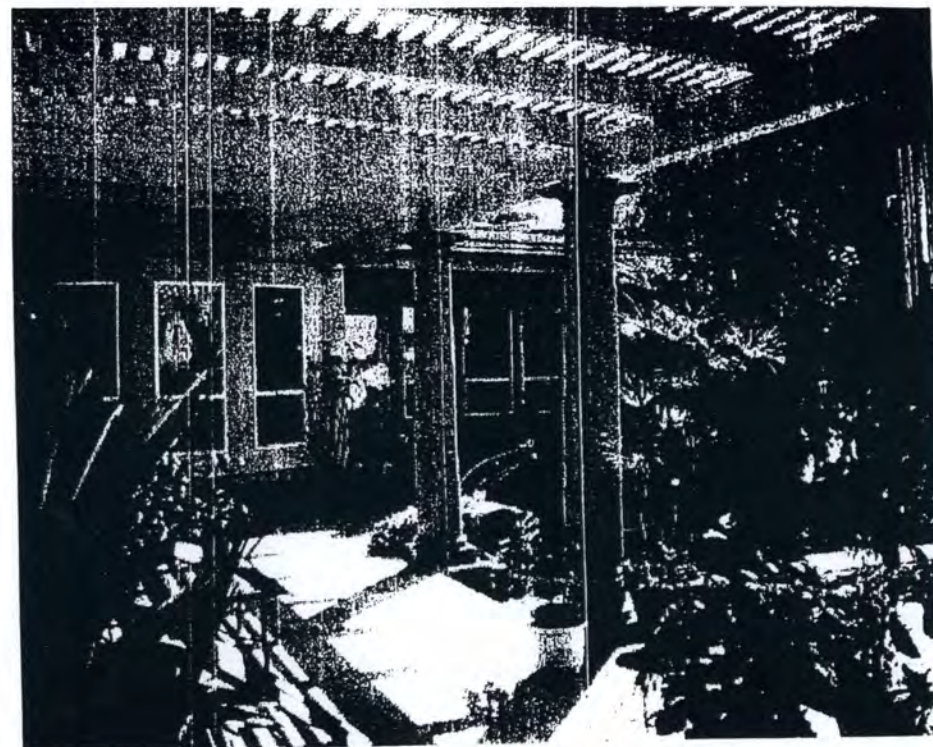


## PATIO DINING CONCEPT IMAGES

VESPUCCI RESTAURANT, 10579 LEE HIGHWAY, FAIRFAX CITY, VIRGINIA



PARKING AREA ENTRANCE



INTERIOR VIEW





City of Fairfax, Virginia  
**Board of Architectural Review**  
Administrative Review

BAR #: A-647-09-5  
09080014  
Date: 9/17/2009

**Subject:** Replacement Lighting      **Description of Proposal:** *Request to replace the existing exposed fluorescent lights on the side and front of the building with decorative light fixtures that will point down and toward the building.*

**Applicant:** Reza Farnoon

**Representative:** Self

**Address:** 10579 Fairfax Boulevard  
(Vespucci)

**Property Zoning:** C-2  
HCOD

**Checklist:**

- ☒ Applicant has submitted all necessary materials.
- ☒ Proposal complies with zoning.
- ☒ Proposal complies with design guidelines.

**Decision:**

Pursuant to Chapter 110 of the Code of the City of Fairfax, the proposed addition(s) or modification(s) as described above is:

- ☐ Denied
- ☐ Approved

☒ Approved with Conditions as below:

- 1) All construction shall be in substantial conformance with the attached plans, and the lights shall be painted black.
- 2) The lights shall be pointed downward and toward the building.
- 3) The applicant shall obtain any necessary zoning approvals or building permits.

**Analysis:**

*The applicant proposes to replace the existing nonconforming fluorescent light fixtures on the side and front of the building with decorative light fixtures. The existing lights contain exposed bulbs and do not present lighting that illuminates the building. The proposed lights would be metal projecting fixtures what would be pointed downward and toward the building. The lights would be painted black.*

*The design and material are appropriate and consistent with the design recommendations in the Community Appearance Plan.*

Director,  
Community Development and Planning

9/22/09

Date

- Please note:** A. This certificate shall become null and void if no significant improvement or alteration is made in accordance with the approved application within twelve (12) months from the date of approval.
- B. The applicant shall not deviate from the approved design.
- C. The applicant shall be responsible for obtaining all required permits prior to construction or installation.



City of Fairfax, Virginia  
**Board of Architectural Review**  
Administrative Review

BAR #: A-647-09-6  
09100008  
Date: 10/20/2009

**Subject:** Lighting conduit  
**Applicant:** Reza Farnoon  
**Representative:** Self  
**Address:** 10579 Fairfax Boulevard  
(Vespucci)  
**Property Zoning:** C-2  
HCOD

**Description of Proposal:** Request to modify BAR A647-09-5 to install conduit between each light fixture, and to paint the conduit to match the tan wall color.

**Checklist:**

- ☒ Applicant has submitted all necessary materials.
- ☒ Proposal complies with zoning.
- ☒ Proposal complies with design guidelines.

**Decision:**

Pursuant to Chapter 110 of the Code of the City of Fairfax, the proposed addition(s) or modification(s) as described above is:

- ☐ Denied
- ☐ Approved
- ☒ Approved with Conditions as below:

- 1) The conduit shall be painted to match the wall color.
- 2) The junction boxes and all parts of the lights shall be painted black.
- 3) The applicant shall obtain any necessary zoning approvals or building permits.

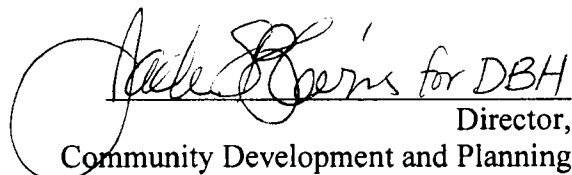
**Analysis:**

The installation of the wall lighting at the subject site included the installation of conduit on the exterior of the building between each fixture. This was not approved as part of BAR A647-09-5, thus the applicant seeks approval to keep the conduit and paint it to match the building.

The conduit is in an inconspicuous location, between the tops of the windows and under the overhang. The applicant has painted them to match the wall, and they are of limited visibility.

The light fixtures were placed on junction boxes that were not painted black to match the fixtures. All of these units should be painted black to match the light fixtures.

The proposed work is generally consistent with the recommendations of the Community Appearance Plan.

  
Director,  
Community Development and Planning

10-22-09  
Date

**Please note:** A. This certificate shall become null and void if no significant improvement or alteration is made in accordance with the approved application within twelve (12) months from the date of approval.  
B. The applicant shall not deviate from the approved design.  
C. The applicant shall be responsible for obtaining all required permits prior to construction or installation.